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CAMPAIGN FINANCE DIVISION

☒ **WAIVER REQUEST**
☐ **RECONSIDERATION REQUEST**

DATE: 5/3/2021

DOCKET #:

FILER INFORMATION

Name: John Davis Mosely, Jr.
Office: District Judge, 1st Judicial District Court, ES 1, Div. G
Parish: CADD0
Election Date: 11/4/2014
Level of Office: District

REPORT INFORMATION

Name of Report: SUPP2018
Original Due Date: 2/15/2019
Date Filed: 11/2/2020
Activity Receipts: \$0
Expenditures: \$0
Funds at Close of Reporting Period: \$734.39

LATE FEE INFORMATION

Amount of Late Fee: \$2,000
Days Late: 636
Late Fee Order Received: 10/29/2020
Payment/Waiver Request Due Date: 11/18/2020
Waiver Request Received: 11/4/2020
Additional Information Requested:

- Medical
- Financial
- Other

COMMENTS: Robert King the report preparer submitted the waiver request for Judge Mosely and states that when they received the late fee assessment they looked in their records and located the pdf copy of the 2018 report. The report was prepared but somehow the electronic filing was never sent or was sent and never went through. He states that there was no activity in 2018. As soon as the notice was received they resubmitted the electronic file of the report. He states the reports for at least the last 20 years have been filed timely

OTHER LATE FEE INFORMATION

Campaign Finance:

Other Outstanding Reports: No
Other Outstanding Late Fees: yes
Prior Late Fees: yes
Reassessed Late Fees: yes

Disclosure Statements:

Other Outstanding Late Fees: No
Prior Late Fees: No



Rita Hummingbird, CPA, CGMA
Robert E. King III, CPA, CVA, CGMA
Rhonda D. Butler, CPA, CGMA

Samantha J. Kelly, CPA
Thomas C. Needham Jr., CPA
Armin S. Kumar, CPA
Spencer C. Johnson, CPA
Donnette R. Martin, CMA

November 3, 2020

Louisiana Board of Ethics
P. O. Box 4368
Baton Rouge, LA 70821
Fax: 225-381-7271

Re: Judge John Mosely, Jr.
Period: 2018 Supplemental Campaign Finance Disclosure Report

Dear Louisiana Board of Ethics,

We have received your late fee assessment order regarding the 2018 supplemental campaign finance disclosure report for Judge John Mosely. We are respectfully requesting a waiver for the late fee and offer the following information for your consideration.

Judge John Mosely, Jr. is our client and we have assisted him with filing his campaign reports for over 20 years. Once we received your late fee assessment order, we looked in our records and located a pdf copy of the 2018 report. The report was prepared by our firm but somehow the electronic filing was never sent or was sent and never went through.

There was no activity in the campaign account for the year 2018. As soon as this notice was received, we resubmitted the electronic file of this report through the leaders software online. The reports for at least the last 20 years have been filed timely.

Judge Mosely will continue to make every effort to comply with all filing requirements and did not intentionally disregard the rules. Based on the fact that there was an unintentional electronic filing error, no activity in the account and a history of timely filing, we are requesting the waiver of the late fee assessment.

Thank you for your consideration in this matter. Please let us know if you have any questions.

Sincerely,

Hummingbird, King & Butler, CPAs and Advisors, LLC

A handwritten signature in cursive script that reads 'Robert E. King III'.

Robert E. King, III, CPA, CVA, CGMA
Member

cc: Judge John Mosely, Jr.



STATE OF LOUISIANA
DEPARTMENT OF STATE CIVIL SERVICE
LOUISIANA BOARD OF ETHICS

P. O. BOX 4368
BATON ROUGE, LA 70821
(225) 219-6600
FAX: (225) 381-7271
1-800-842-6830
www.ethics.la.gov

October 23, 2020

John Davis Mosely, Jr.
3006 Long Pines
Shreveport, LA 71118

CERTIFIED MAIL

NO. 70200640000107319871

RETURN RECEIPT REQUESTED

RE: Late fee assessment for the November 4, 2014 Election
2018 Supplemental Campaign Finance Disclosure Report

Dear John Davis Mosely, Jr.:

Enclosed is an assessment of a late fee pursuant to La R.S. 18:1505.4 and La. R.S. 18:1511.4.1. Please submit a check or money order in the amount of \$2,000 payable to the Treasurer of the State of Louisiana to P.O. Box 4368, Baton Rouge, LA 70821. Please note that late fees can only be paid by the candidate or by his campaign.

Also, in addition to payment of the late fee, you are required to file your 2018 Supplemental campaign finance disclosure report within 20 days of receipt of the enclosed order. If you do not file the report, this matter will be referred to the Ethics Board for further action pursuant to La. R.S. 18:1505.4(A)(4), which allows for an assessment of an additional \$10,000 penalty after a hearing before the Ethics Adjudicatory Board.

With respect to the late fee assessed, you have 20 days from receipt of this letter to pay the late fee or to dispute the assessment by electing to do either or both of the following:

1. You may submit your request for a waiver to the attention of the Louisiana Board of Ethics.

Waivers are handled by the Ethics Board. The Board of Ethics may reduce, suspend, or decline to waive a late fee assessment based on the cause shown by the person, candidate, or political committee. If you submit a request for a waiver of the late fee to the Board of Ethics, your request should contain details as to why, in your opinion, you have good cause why your report was not timely filed. Also, if you would like to appear before the Board of Ethics in connection with your request, you should state that in your letter. The request should be submitted to the attention of the Board of Ethics at the following address: P. O. Box 4368, Baton Rouge, LA 70821 or fax at (225) 381-7271.

2. You may appeal the assessment directly to the Ethics Adjudicatory Board (EAB).

Appeals to the EAB are proceedings before a three judge panel of administrative law judges. The determination is made regarding whether the person, candidate, or political committee was required to file the report and whether the report was filed late. Mitigating factors are not considered during an EAB proceeding. The EAB does not have the authority to reduce, suspend, or waive a late fee assessment. If you choose to appeal the assessment to the EAB, you should submit your request for an appeal to the attention of the Executive Secretary of the Louisiana Board of Ethics at P. O. Box 4368, Baton Rouge, LA 70821 or fax at (225) 381-7271.

If you do not pay or dispute the assessment of the late fee within 20 days from the receipt of this letter, the matter will be forwarded to the Attorney General's Office to pursue collection. If the matter is forwarded to the Attorney General's Office for collection, you may be responsible for all additional costs incurred. Additionally, late fees not paid by the due date will be posted on the agency website.

You should be aware that unpaid campaign finance fines, fees or penalties may have an adverse effect on your ability to run for public office in the future, as the Board of Ethics will object to your future qualifications for candidacy for public office pursuant to La. R.S. 18:491 and R.S. 18:492.

Sincerely,

LOUISIANA BOARD OF ETHICS

Melissa Horn

Melissa Horn

AN EQUAL OPPORTUNITY EMPLOYER

STATE OF LOUISIANA LOUISIANA BOARD OF ETHICS
acting in its capacity as the
SUPERVISORY COMMITTEE ON CAMPAIGN FINANCE DISCLOSURE

In Re: John Davis Mosely, Jr. / November 4, 2014 Election

LATE FEE ASSESSMENT ORDER

WHEREAS, John Davis Mosely, Jr., in his capacity as a candidate for District Judge, 1st Judicial District Court, ES 1, Div. G in the November 4, 2014 election was a district level candidate and required to file campaign finance reports pursuant to La. R.S. 18:1484.

WHEREAS, La. R.S. 18:1505.1 provides that it is a violation of the Campaign Finance Disclosure Act to fail to timely file campaign finance reports.

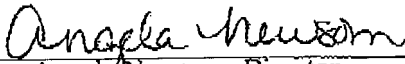
WHEREAS, in accordance with La. R.S. 18:1495.4D, John Davis Mosely, Jr. was required to file a Supplemental Report by February 15, 2019. To date, the 2018 Supplemental campaign finance disclosure report has not been filed, which automatically imposes the maximum penalty to be assessed for each report that is delinquent.

WHEREAS, La. R.S. 18:1505.4A(2)(a)(ii) provides that an automatic late fee of \$60 per day (not to exceed \$2,000) be assessed against John Davis Mosely, Jr. for each day the report is not timely filed.

ACCORDINGLY, IT IS ORDERED that a late fee of \$2,000 is assessed against John Davis Mosely, Jr. for failure to timely file the 2018 Supplemental campaign finance disclosure report.

IT IS FURTHER ORDERED that John Davis Mosely, Jr. file a 2018 Supplemental campaign finance disclosure report for the November 4, 2014 election, within 20 days of receipt of this order.

ORDER signed on the 23rd day of October 2020 at Baton Rouge, Louisiana.



Angela Newsom, Director
Campaign Finance & Lobbying Division

FAX COVER SHEET

DATE: 11/04/2020 **FAX NO:** (225) 381-7271

TO: Louisiana Board of Ethics

COMPANY:

FROM: Judge John Davis Mosely, Jr.

FAX NO: (318) 425-3656

TOTAL NUMBER OF PAGES (INCLUDING COVER SHEET) 4

MESSAGE: Request for a waiver of late fee assessment for the November 4, 2014 Election 2018 Supplemental

Campaign Finance Disclosure Report

The information in this facsimile is confidential and may be legally privileged. It is intended solely for the addressee. Access to this facsimile by anyone else is unauthorized. If you are not the intended recipient, any disclosure, copying, distribution or any action taken or omitted to be taken in reliance on it, is prohibited and may be unlawful. When addressed to our clients and opinions or advice contained in this facsimile are subject to the terms and conditions expressed in the governing Hummingbird, King & Butler CPAs and Advisors, LLC client engagement letter. If you have received this electronic transmission in error, please notify us by telephone at (318) 221-1803. Thank you.